

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF WASHINGTON**

In the matter of)	
)	No. D 2001- 116
Amnesty International of the)	
U.S.A., Inc.)	STIPULATIONS, FINDINGS,
New York, New York)	
)	CONSENT AND ORDER
)	

Amnesty International of the U.S.A., Inc. is a charitable organization and has been issuing charitable gift annuities in the State of Washington, and is therefore governed by Title 48 RCW.

This administrative action is based on allegations by the Commissioner's staff that Amnesty International of the U.S.A., Inc. violated RCW 48.05.030 and Chapter 48.38 RCW, by the activity described in the following numbered paragraphs. To resolve only the issues identified in the following numbered paragraphs, to eliminate the necessity for a hearing, and as a negotiated settlement of the Commissioner's allegations, Amnesty International of the U.S.A., Inc. has voluntarily executed the Consent to Order contained herein and stipulates to the entry of the Order contained herein.

STIPULATIONS

1. RCW 48.05.030 provides that no person shall act as an insurer nor transact insurance in this state other than as authorized by a certificate of authority issued to it by the Commissioner.
2. RCW 48.11.020 defines life insurance as including the granting of annuities.
3. Chapter 48.38 RCW provides that certain charitable organizations upon complying with the provisions of the Chapter may, after receiving a certificate of exemption from the Commissioner, conduct a charitable gift annuity business and be exempted from most of the provisions of Title 48 RCW.
4. During the year 2001 Amnesty International of the U.S.A., Inc. has issued 2 annuities without having been properly licensed to do so.

FINDINGS

1. The Commissioner finds that Amnesty International of the U.S.A., Inc., by and through the conduct described above, has violated RCW 48.05.030 and Chapter 48.38 RCW.
2. The Commissioner further finds that RCW 48.38.050 authorizes the Commissioner to refuse to issue a Certificate of Exemption to Amnesty International of the U.S.A., Inc., for failing to comply with the provisions of Chapter 48.38 RCW.
3. The Commissioner further finds that RCW 48.38.050 authorizes, that in lieu of the refusal to issue a Certificate of Exemption, the Commissioner may assess a fine of not more than \$10,000.

CONSENT TO ORDER

Based on the above and foregoing stipulations, Amnesty International of the U.S.A., Inc. consents to pay a fine in the amount One Hundred Dollars and 00/100 (\$100).

If Amnesty International of the U.S.A., Inc. is issued a Certificate of Exemption by the Commissioner on or before December 31, 2001 then Amnesty International of the U.S.A., Inc. agrees to file its annual report and actuarial statement for the year 2001 by March 1, 2002, and Amnesty International of the U.S.A., Inc. also agrees to pay the required annual fee of \$25 and \$5 for each of the annuity contracts it issued to residents of the State of Washington during the calendar year 2001 by March 1, 2002. However, if Amnesty International of the U.S.A., Inc. is not issued a Certificate of Exemption by the Commissioner on or before December 31, 2001, then Amnesty International of the U.S.A., Inc. consents to pay the sum of \$25 being the annual fee for the year 2001 and the sum of \$10 being the \$5 fee for each annuity that it issued during the year 2001 that it would have had to pay if it had been properly licensed, for a total additional sum of \$35. The payment of this additional sum of \$35 shall be paid by January 31, 2002.

Based on the above and foregoing stipulations, Amnesty International of the U.S.A., Inc. voluntarily consents to the following order to resolve the issues and alleged conduct described herein and with the understanding that the payment of the amount levied against Amnesty International of the U.S.A., Inc. is a condition of the issuance of a Certificate of Exemption to Amnesty International of the U.S.A., Inc. for the conduct described herein.

Based on the above and foregoing stipulations, Amnesty International of the U.S.A., Inc. acknowledges its duty and obligation to fully comply with the applicable laws and regulations of the State of Washington.

Signed this _____ day of _____ 2001.
Amnesty International of the U.S.A., Inc.

by: _____

Title: _____

ORDER

IT IS ORDERED that pursuant to RCW 48.38.050 and the foregoing Stipulations, Findings, and Consent to Order, Amnesty International of the U.S.A., Inc. pay a sum in the amount of One Hundred Dollars and 00/100 (\$100) for the activity described in the foregoing Stipulation.

IT IS FURTHER ORDERED that in the event that this sum is not paid within 30 days from the date of this order, the sum will be recoverable in a civil action brought on behalf of the Insurance Commissioner by the Attorney General, pursuant to RCW 48.05.185.

IT IS FURTHER ORDERED THAT if Amnesty International of the U.S.A., Inc. is issued a Certificate of Exemption by the Commissioner on or before December 31, 2001, then Amnesty International of the U.S.A., Inc. in addition to filing its annual report and actuarial statement for the year 2001 by March 1, 2002, Amnesty International of the U.S.A., Inc. will also pay the required annual fee of \$25 and \$5 for each of the annuity contracts it issued to residents of the State of Washington during the calendar year 2001 by March 1, 2002. However, if Amnesty International of the U.S.A., Inc. is not issued a Certificate of Exemption by the Commissioner on or before December 31, 2001, then Amnesty International of the U.S.A., Inc. shall pay the sum of \$25 being the annual fee for the year 2001 and the sum of \$10 being the \$5 fee for each annuity that it issued during the year 2001 that it would have had to pay if it had been properly licensed, for a total additional sum of \$35. The payment of this additional sum of \$35 shall be paid by January 31, 2002. This additional sum will be recoverable in a civil action brought on behalf of the Insurance Commissioner by the Attorney General, pursuant to RCW 48.05.185

SIGNED AND ENTERED THIS _____ day of _____ 2001.

James T. Odiorne
Deputy Insurance Commissioner